

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 7-2005)

ATTORNEY'S DOCKET NUMBER

753-71 PCT/US

## TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/590391  
Un-SignedINTERNATIONAL APPLICATION NO.  
PCT/CH2005/000086INTERNATIONAL FILING DATE  
February 16, 2005PRIORITY DATE CLAIMED  
February 24, 2004

## TITLE OF INVENTION

PHARMACOLOGICALLY ACCEPTABLE SALTS OF CLOPIDOGREL

## APPLICANT(S) FOR DO/EO/US

Beat T. Weber, Michael Karl Levis, Hon Quang Ly

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☒ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☒ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 881317901 US

|   |   |  |  |      |              |           |   |            |                    |         |   |            |    |        |
|---|---|--|--|------|--------------|-----------|---|------------|--------------------|---------|---|------------|----|--------|
| U.S. APPLICATION NO (if known, see 37 CFR 1.5)<br><b>10/590391</b>  | INTERNATIONAL APPLICATION NO.<br><b>PCT/CH2005/000086</b> | ATTORNEY'S DOCKET NUMBER<br><b>753-71 PCT/US</b>                       |  |      |              |           |   |            |                    |         |   |            |    |        |
| 23. Other items or information:<br><b>Certificate of Mailing by Express Mail, Return Receipt Postcard</b>   |   |  |  |      |              |           |   |            |                    |         |   |            |    |        |
| The following fees have been submitted:   |   | <b>CALCULATIONS      PTO USE</b>                                       |  |      |              |           |   |            |                    |         |   |            |    |        |
| 24. <input checked="" type="checkbox"/> Basic national fee ..... \$300  | \$  | \$300.00   |  |      |              |           |   |            |                    |         |   |            |    |        |
| 25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))<br>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article ..... \$0<br>All other situations ..... \$200   | \$  | \$200.00   |  |      |              |           |   |            |                    |         |   |            |    |        |
| 26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))<br>If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. . . . . \$100<br>International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. . . . . \$400<br>All other situations ..... \$500      | \$  | \$400.00   |  |      |              |           |   |            |                    |         |   |            |    |        |
| <b>TOTAL OF 24, 25 and 26 =</b>   |   | \$ 900.00  |  |      |              |           |   |            |                    |         |   |            |    |        |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |   |  |  |      |              |           |   |            |                    |         |   |            |    |        |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Total Sheets</td> <td style="width: 20%;">Extra Sheets</td> <td style="width: 40%;">Number of each additional 50 or fraction thereof (round up to a whole)</td> <td style="width: 20%;">RATE</td> </tr> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">0 /50 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$250.00</td> </tr> </table>  | Total Sheets  | Extra Sheets   | Number of each additional 50 or fraction thereof (round up to a whole) | RATE | - 100 =      | 0 /50 =   | 0 | x \$250.00 | \$                 | \$0.00  |   |            |    |        |
| Total Sheets  | Extra Sheets  | Number of each additional 50 or fraction thereof (round up to a whole) | RATE   |      |              |           |   |            |                    |         |   |            |    |        |
| - 100 =   | 0 /50 =   | 0  | x \$250.00   |      |              |           |   |            |                    |         |   |            |    |        |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).   |   | \$   |  |      |              |           |   |            |                    |         |   |            |    |        |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">CLAIMS</td> <td style="width: 20%;">NUMBER FILED</td> <td style="width: 40%;">NUMBER EXTRA</td> <td style="width: 20%;">RATE</td> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">20 - 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">3 - 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$200.00</td> </tr> </table> | CLAIMS  | NUMBER FILED   | NUMBER EXTRA   | RATE | Total claims | 20 - 20 = | 0 | x \$50.00  | Independent claims | 3 - 3 = | 0 | x \$200.00 | \$ | \$0.00 |
| CLAIMS  | NUMBER FILED  | NUMBER EXTRA   | RATE   |      |              |           |   |            |                    |         |   |            |    |        |
| Total claims  | 20 - 20 =   | 0  | x \$50.00  |      |              |           |   |            |                    |         |   |            |    |        |
| Independent claims  | 3 - 3 =   | 0  | x \$200.00   |      |              |           |   |            |                    |         |   |            |    |        |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00   |   | \$ 0.00  |  |      |              |           |   |            |                    |         |   |            |    |        |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |   | \$ 900.00  |  |      |              |           |   |            |                    |         |   |            |    |        |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.  |   | \$ 0.00  |  |      |              |           |   |            |                    |         |   |            |    |        |
| <b>SUBTOTAL =</b>   |   | \$ 900.00  |  |      |              |           |   |            |                    |         |   |            |    |        |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).   |   | \$ 0.00  |  |      |              |           |   |            |                    |         |   |            |    |        |
| <b>TOTAL NATIONAL FEE =</b>   |   | \$ 900.00  |  |      |              |           |   |            |                    |         |   |            |    |        |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +   |   | \$ 0.00  |  |      |              |           |   |            |                    |         |   |            |    |        |
| <b>TOTAL FEES ENCLOSED =</b>  |   | \$ 900.00  |  |      |              |           |   |            |                    |         |   |            |    |        |
| Amount to be  |   | \$   |  |      |              |           |   |            |                    |         |   |            |    |        |
| Amount to be  |   | \$   |  |      |              |           |   |            |                    |         |   |            |    |        |

10/590391  
IAF Rec'd PCT/PTO 23 AUG 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 08-2461 in the amount of \$ \$900.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2461. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Daniel A. Scola, Jr.  
HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, NY 11791

  
SIGNATURE

Jamie M. Larmann

NAME

48,623

REGISTRATION NUMBER

August 23, 2006

DATE

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Weber et al.

Docket No.

753-71 PCT/US

Application No.

Unassigned

Filing Date

Herewith

Examiner

Unassigned

Customer No.

23869

Group Art Unit

Unassigned

Invention: **PHARMACOLOGICALLY ACCEPTABLE SALTS OF CLOPIDOGREL**

I hereby certify that the following correspondence:

Transmittal Letter to the US Designated/Elected Office Concerning a Submission under 35 U.S.C. 371 (3 pages, plus duplicate); Change of Correspondence Address (1 page); Preliminary Amendment (10 pages); Copy of WO 2005/080890 A1; Verification of Translation (1 page); English Translation of PCT/CH2005/000086; Return Receipt Postcard

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 23, 2006

*(Date)*

Marcy H. Mancuso

*(Typed or Printed Name of Person Mailing Correspondence)*



*(Signature of Person Mailing Correspondence)*

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PTO/SB/122 (01-06)

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Application**Address to:  
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|                        |               |
|------------------------|---------------|
| Application Number     | Unassigned    |
| Filing Date            | Herewith      |
| First Named Inventor   | Weber et al.  |
| Art Unit               | Unassigned    |
| Examiner Name          | Unassigned    |
| Attorney Docket Number | 753-71 PCT/US |

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I am the:



Applicant/Inventor

Assignee of record of the entire interest.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

Attorney or Agent of record. Registration Number \_\_\_\_\_

Registered practitioner named in the application transmittal letter in an application without an  
executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number 48,623

Signature

Typed or Printed **Jamie M. Larmann**Date **August 23, 2006**Telephone **973-331-1700**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

\*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Verification of Translation**

I, Dr. Jakob Silbiger

resident at Oberwilerstrasse 72, CH-4054 Basel, Switzerland,  
am the translator of the attached English translation of

**PCT-Application**  
**PCT/CH2005/000086**  
**WO 2005/08090**

and state that, to the best of my knowledge and belief, the following is a true and complete translation thereof.

Basel, 20.07.2006

Signature of the translator



(Dr. Jakob Silbiger)

**BEST AVAILABLE COPY**